

Blanchard, Clarence E.

U.S. Serial No. 09/927,719

REMARKS

In the Advisory Action mailed December 10, 2002, the Examiner refused to enter the After-Final Amendment filed November 27, 2002. With the filing of the RCE, Applicant requests entry of that amendment.

The Examiner provided additional comments in the Advisory Action, which will now be addressed. Applicant claims, in claim 29, a thrust bracket having a specific arrangement which is not disclosed or suggested in any manner by the primary reference, Schulz. Schulz has no side walls, but merely a pair of brackets that cannot prevent lateral rotation of the exhaust housing. Further, the Examiner's interpretation of Schulz and application to the present claims is completely contrary to the disclosure provided by Schulz. Schulz provides steering through rotation of the outboard motor along a vertical axis between the motor and the mounting bracket. The present invention does not have a vertical axis of rotation between the motor and the bracket. Applicant discloses a specific arrangement in which side walls are arranged to receive the exhaust housing and prevent lateral rotation of the exhaust housing when the exhaust housing is situated therein. The brackets of Schulz are not side walls, and the bracket of cannot prevent lateral rotation. Schulz provides not even a suggestion of such an arrangement. Applicant believes claim 29 clearly defines over Schulz.

The Examiner states that "Applicant seems to be relying on an assumption that the terms 'thrust bracket' and 'pivot tube' imply inherent structural features that differentiate from what Schulz shows." However, it appears the Examiner is simply interpreting the claim based merely on the term "thrust bracket" without taking into

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account the remainder of the claim limitation, and the claim as a whole. Applicant requests consideration of each and every limitation found in the claim, and reminds the Examiner that in order to sustain a §102 rejection, each and every element found in the claim must be found in the single reference.

With respect to claim 43, Applicant specifically calls for a pair of side thrust walls, which is clearly not disclosed in Schulz. Applicant also calls for a flat mounting plate. Applicant cannot discern any such disclosure from Schulz. Applicant requests the Examiner to provide a specific reference to the Schulz reference that shows or describes a flat mounting plate that lies flat against the stern and a pair of side thrust walls extending generally parallel to each other and generally perpendicular to the mounting plate. Claim 43 also calls for the thrust walls to flank the respective adjoining portions of the outboard and be arranged to prevent lateral displacement of the outboard due to side thrust in either direction. As previously discussed, this arrangement is not shown or suggested in the prior art.

Additionally, the Examiner makes the statement that "axial and radial impellers...are functionally equivalent" and further states that "the skilled artisan may choose one type over the other for purposes of attaining a particular flow volume or flow velocity." However, such is not the case. As just one example, the prior art the Examiner relies on, Schulz, provides steering of the watercraft by rotating the outboard. The present invention makes use of an axial flow pump in a unique arrangement not found in the prior art. As previously described, claims 29 and 43 require an arrangement in which lateral displacement, or lateral rotation, is prevented.

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Accordingly, Applicant believes all pending claims are in condition for allowance.

Therefore, in light of the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 29-48.

Applicant appreciates the Examiner's consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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